

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Feb 08, 2019**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Francis Joe Rodriguez Case Number: 0980 1:15CR02028-SAB-1

Address of Offender: Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: November 14, 2017

Original Offense: Original Offense: Conspiracy to Distribute Methamphetamine,  
21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 846

Original Sentence: Prison - 366 days; Type of Supervision: Supervised Release  
TSR - 36 months

Revocation: Prison - 2 months;  
September 19, 2018 TSR - 34 months

Asst. U.S. Attorney: Ben Seal Date Supervision Commenced: November 15, 2018

Defense Attorney: Jeremy Sporn Date Supervision Expires: September 14, 2021

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**PETITIONING THE COURT**

To issue a summons.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><b><u>Special Condition #3:</u></b> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Rodriguez is alleged to have consumed methamphetamine on or about January 30, 2019.</p> <p>Mr. Rodriguez' conditions were reviewed with him on November 16, 2018. He signed his judgement acknowledging an understanding of his conditions, which include special condition number 3, as noted above.</p>

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On January 30, 2019, Mr. Rodriguez provided a presumptive positive urinalysis (UA) for the presence of methamphetamine. Mr. Rodriguez denied consuming any controlled substances and the UA was sent to Alere Toxicology Services (Alere) for confirmation testing. On February 5, 2019, this officer received a positive drug test report from Alere showing positive results for the presence of methamphetamine.

On February 6, 2018, Mr. Rodriguez admitted he consumed methamphetamine daily from January 29 through February 2, 2019. Mr. Rodriguez signed a drug use admission form acknowledging consumption of an illegal controlled substance.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear and answer to the allegation contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 8, 2019

s/Phil Casey

Phil Casey  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

February 8, 2019

Date